

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ISO-00 AF-08 ARA-06 EA-07 EUR-12 NEA-10

CIAE-00 DODE-00 PM-04 H-02 INR-07 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 EB-07 /110 W

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R 040041Z NOV 76

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 421

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E.O. 11652: N/A

TAGS: UNGA, PFOR, ILC

SUBJECT: SIXTH COMMITTEE (LEGAL) -- INFORMAL MEETING ON ILC
REPORT RESOLUTION

REF: USUN 4782

SUMMARY: COMITE 6 HAD INFORMAL MEETINGS NOV 2 AND 3 TO
DISCUSS DRAFT RESOLUTION (REFTEL) ON REPORT OF ILC. MEETING
WAS WELL-ATTENDED AND THERE WAS CONSIDERABLE DEBATE.
HIGHLIGHTS FOLLOW. END SUMMARY.

1. COMITE 6 INFORMAL MEETING ON DRAFT RESOLUTION ON ILC
REPORT WAS ATTENDED BY APPROXIMATELY FORTY STATES. COMITE 6
CHAIRMAN MENDOZA PRESIDED. SUGGESTED CHANGES CAN BE GROUPED
IN FIVE AREAS.

2. ROMANIA PROPOSED ADDITION TO PREAMBLE CALLING UPON ILC
TO TAKE INTO ACCOUNT "CONTEMPORARY REQUIREMENTS AND
REALITIES"; CYPRUS SUGGESTED PREAMBLE TELL ILC TO GIVE
PRIORITY TO "MATTERS AFFECTING INTERNATIONAL PEACE AND
SECURITY". RE ROMANIAN PROPOSAL, US SAID IT WAS DIRECTING
ILC TO DO OBVIOUS AND WE MIGHT AS WELL ASK THEM TO WRITE
CLEARLY OR WORK HARD. RE CYPRUS PROPOSAL, US SAID SUCH
A PREAMBLE COULD ONLY CREATE CONFUSION BECAUSE PRIORITIES

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INDICATED IN OPERATIVE PARAGRAPH 4 CAN BE ARGUED DO NOT

REFLECT THE PROPOSAL. AFTER STATEMENTS BY UK, MALI, AUSTRALIA AND TURKEY SUPPORTING US, CYPRUS APPEARED TO WITHDRAW PROPOSAL. ROMANIA MAY STAND FIRM.

3. GUYANA, SUPPORTED BY SRI LANKA, BANGLADESH, KENYA AND MEXICO PROPOSED OPERATIVE PARAGRAPH 4(A) BE AMENDED TO DIRECT THE ILC TO SEND THE MOST-FAVORED-NATION DRAFT ARTICLES TO UNCTAD FOR COMMENTS BEFORE COMPLETING ITS SECOND READING. US OBJECTED ARGUING THAT ILC HAD ALREADY CLEARLY TAKEN UNCTAD INTO ACCOUNT AS WITNESSED BY THE COMMENTARY TO THE DRAFT AND THAT TRANSMISSION WOULD DELAY COMPLETION OF WORK. USSR, FRANCE, AUSTRALIA, AND NETHERLANDS SUPPORTED US. GUYANA HELD TO ITS ORIGINAL POSITION AND MEXICO SUGGESTED INSTEAD OF REFERENCE TO UNCTAD ON INQUIRY COULD BE MADE OF UNCTAD SYG FOR HIS VIEWS. CHAIRMAN SUGGESTED THAT SINCE ALL SIDES HAD BEEN HEARD CO-SPONSORS SHOULD CONSIDER MATTER.

4. AUSTRALIA (LAUTERPACHT) AND MEXICO PROPOSED THAT OPERATIVE PARAGRAPH 4(B) CALL UPON ILC TO COMPLETE ITS WORK ON STATE RESPONSIBILITY BY 1981. AUSTRALIA SUGGESTED THIS POSSIBLE IF ILC DIRECTED TO FOCUS "ON THOSE AREAS OF THE SUBJECT IN RESPECT OF WHICH THE BILATERAL RELATIONS OF STATES HAVE DEMONSTRATED THE GREATEST NEED FOR ATTENTION." LATTER CLAUSE AROUSED NEGATIVE RESPONSE FROM STRONG SUPPORTERS OF CRIMINAL RESPONSIBILITY SUCH AS USSR AND CYPRUS. QUENTIN-BAXTER (NEW ZEALAND), SETTE CAMARA (BRAZIL), SAHOVIC (YUGOSLAVIA) AND MUSEUX (FRANCE) URGED INUTILITY OF ENTIRE AMENDMENT.

5. AUSTRALIA (LAUTERPACHT) SUGGESTED AN OPERATIVE PHRASE URGING ILC TO SHORTEN ITS REPORT. MANY STATES AGREED IN SUBSTANCE BUT OBJECTED TO INCLUSION OF THIS IN RESOLUTION. SAID ILC AWARE OF THIS PROBLEM FROM DEBATE. PROPOSAL WAS WITHDRAWN.

6. AUSTRALIA (LAUTERPACHT) SUGGESTED A FINAL OPERATIVE PARAGRAPH CALLING UPON SECRETARIAT TO DISTRIBUTE ILC REPORT IN PARTS SO STATES COULD BEGIN READING IT EARLIER. REACTIONS WERE MIXED.
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7. CO-SPONSORS OF RESOLUTION WILL MEET NOV 5 TO DISCUSS PROPOSED CHANGES.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: REPORTS, INTERNATIONAL LAW, COMMITTEE MEETINGS, UNGA RESOLUTIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 04 NOV 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976USUNN04980
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760411-0133
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761179/aaaacqsm.tel
Line Count: 111
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 USUN NEW YORK 4782
Review Action: RELEASED, APPROVED
Review Authority: coburnhl
Review Comment: n/a
Review Content Flags:
Review Date: 19 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <19 MAY 2004 by ShawDG>; APPROVED <14 SEP 2004 by coburnhl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SIXTH COMMITTEE (LEGAL) -- INFORMAL MEETING ON ILC REPORT RESOLUTION
TAGS: PFOR, UNGA, ILC
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006